

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

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| <p>In re:</p> <p>INTEGRATED HEALTH SERVICES, INC., <i>et al.</i>,</p> <p style="text-align: center;">Debtors.</p> | | <p>Chapter 11</p> <p>Case No. 00-389 (MFW)</p> <p>(Jointly Administered)</p> |
| <p>IHS LIQUIDATING LLC,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>ACE INDEMNITY INSURANCE COMPANY f/k/a INDEMNITY INSURANCE COMPANY OF NORTH AMERICA,</p> <p style="text-align: center;">Defendant</p> | | <p>Civil Action No. 05-376 (GMS)</p> |
| <p>IHS LIQUIDATING LLC,</p> <p style="text-align: center;">Third-Party Plaintiff</p> <p style="text-align: center;">v.</p> <p>NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, GENERAL STAR INDEMNITY COMPANY, and ACE INDEMNITY INSURANCE COMPANY f/k/a INDEMNITY INSURANCE COMPANY OF NORTH AMERICA</p> <p style="text-align: center;">Third-Party Defendants</p> | | |
| <p>ACE INDEMNITY INSURANCE COMPANY f/k/a INDEMNITY INSURANCE COMPANY OF NORTH AMERICA</p> <p style="text-align: center;">Third-Party Defendant and Fourth-Party Plaintiff</p> <p style="text-align: center;">v.</p> <p>NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, and GENERAL STAR INDEMNITY COMPANY,</p> | | |

**DEFENDANT, THIRD-PARTY DEFENDANT AND FOURTH-PARTY
PLAINTIFF INDEMNITY INSURANCE COMPANY OF NORTH AMERICA'S
MOTION IN OPPOSITION TO FOURTH-PARTY DEFENDANT
NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA's
MOTION FOR SUMMARY JUDGMENT**

COMES NOW Defendant and Third-Party Defendant, Indemnity Insurance Company of North America (hereinafter "IICNA"), by and through its attorneys, moves this Honorable Court for an order denying the Motion For Summary Judgment filed by National Union Fire Insurance Company of Pittsburgh, PA (hereinafter "National Union") as follows:

1. IICNA is an excess insurance carrier which was made a defendant and third-party defendant in a declaratory judgment action initiated by IHS Liquidating LLC.
2. National Union is an excess insurance carrier which was made a third-party defendant in a declaratory judgment action initiated by IHS Liquidating LLC.
3. IICNA relies upon and incorporates herein its Brief In Opposition to National Union's Motion For Summary Judgment.

WHEREFORE, Plaintiff, Indemnity Insurance Company of North America, respectfully requests entry of an order in the form attached denying National Union Fire Insurance Company of Pittsburgh, PA's Motion For Summary Judgment.

Respectfully submitted,

WETZEL & ASSOCIATES, P.A.

/s/ Benjamin C. Wetzel, III
Benjamin C. Wetzel, III (I.D. No 985)
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Of Counsel:
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Dated: July 13, 2007

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| <p>IHS LIQUIDATING LLC,</p> <p style="text-align: center;">Third-Party Plaintiff</p> <p style="text-align: center;">v.</p> <p>NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, GENERAL STAR INDEMNITY COMPANY, and ACE INDEMNITY INSURANCE COMPANY f/k/a INDEMNITY INSURANCE COMPANY OF NORTH AMERICA</p> <p style="text-align: center;">Third-Party Defendants</p> | |

ORDER

AND NOW, this _____ day of _____, 2007, upon consideration of
Defendant and Third-Party Defendant, Indemnity Insurance Company of North

America's Brief In Opposition to National Union Fire Insurance Company of Pittsburgh,
PA's Motion For Summary Judgment;

IT IS HEREBY ORDERED that National Union Fire Insurance Company of
Pittsburgh, PA's Motion For Summary Judgment is hereby DENIED.

GREGORY M. SLEET
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on July 13, 2007, I electronically filed the within Defendant/Third-Party Defendant Indemnity Insurance Company of North America's Motion in Opposition to National Union Fire Insurance Company of Pittsburgh, PA's Motion for Summary Judgment with the Clerk of Court using CM/ECF which will send notification of such filing to the following:

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